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Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Muhammad Shahrul Nizzam **Umar** (Brunei Darussalam)

I. Introduction

1. At its 17th plenary meeting, on 20 September 2005, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixtieth session the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. At its 1st meeting, on 29 September 2005, the Fourth Committee decided to hold a general debate covering agenda items 26, 34, 35, 36 and 37. The general debate on those items was held at the 2nd, 3rd, 5th and 6th meetings, on 5, 6, 10 and 11 October (see A/C.4/60/SR.2, 3, 5 and 6). The Committee took action on item 26 at its 6th, 7th and 16th meetings, on 11, 12 and 25 October (see A/C.4/60/SR.6, 7 and 16).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/60/23, chaps. VIII, IX, X and XII);[1]

(b) Report of the Secretary-General [illegible] the Second International Decade for the Eradication of Colonialism (A/60/71 and Add.1);

(c) Report of the Secretary-General on the question of Western Sahara (A/60/116).

[1] See *Official Records of the General Assembly, Sixtieth Session, Supplement No. 23* (A/60/23).

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4. At the 2nd meeting, on 5 October, the representative of the Syrian Arab Republic, in his capacity as the Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, introduced the report of the Special Committee. At the same meeting, the representative of Saint Lucia, in his capacity as Chairman of the Special Committee, made a statement in which he gave an account of the relevant activities of the Special Committee during 2005 (see A/C.4/60/SR.2).

5. At the same meeting, the Fourth Committee granted requests for hearings to the following petitioners in connection with its consideration of the item:

J. J. Bossano, Leader of the Opposition, Gibraltar (A/C.4/60/2)

Trini Torres, Chamoru Cultural Development and Research Institute (A/C.4/60/3)

Debtralynne K. Quinata, Chamoru Nation (A/C.4/60/3/Add.1)

Roch Wamytan, Comité Rhébu Nuu (A/C.4/60/4)

Vanessa Ramos, American Association of Jurists (A/C.4/60/5)

Zach Wamp, United States Congress (A/C.4/60/5/Add.1)

María Inés Miranda Navarro, Observation Mission in Western Sahara of the Consejo General de la Abogacía Española (A/C.4/60/5/Add.2)

Antonio López Ortiz, Federación Estatal de Instituciones Solidarias con el Pueblo Saharaui (A/C.4/60/5/Add.3)

Rosa María Ostogain Etxeberria, Euskal Fondoa and Mayor of the Municipality of Berriz (A/C.4/60/5/Add.4)

Francisco José Alonso Rodríguez, Liga Pro Derechos Humanos (A/C.4/60/5/Add.5)

Sergio de la Asunción Alfonso Miranda, Asociación de Amistad con el Pueblo Saharaui de las Palmas de Gran Canaria (A/C.4/60/5/Add.6)

Felipe Briones Vives, International Association of Jurists for Western Sahara (A/C.4/60/5/Add.7)

Ahmed Boukhari, Frente POLISARIO (A/C.4/60/5/Add.8)

David Lippiat, We International (A/C.4/60/5/Add.9)

Justin Knapp (A/C.4/60/5/Add.10)

Sepp Van der Veken, Comité belge de soutien au peuple sahraoui and "Jongeren voor de Westeligke Sahara-Geel" (A/C.4/60/5/Add.11)

Hilde Teuwen, Oxfam Solidarity and European Coordination of Support for the Saharawi People (A/C.4/60/5/Add.12)

Dan Stanley, Manna Church of Raeford (A/C.4/60/5/Add.13)

Jan Strömdahl, Swedish Western Sahara Committee (A/C.4/60/5/Add.14)

Suzanne Scholte, Defense Forum Foundation (A/C.4/60/5/Add.15)

Rafael Esparza Machín, University of Las Palmas, Canary Islands (A/C.4/60/5/Add.16)

Cynthia Basinet, 2005 Nobel Peace Prize Nominee (A/C.4/60/5/Add.17)

Ted Poe, United States Congress (A/C.4/60/5/Add.18)

Aymeric Chauprade, the Sorbonne (A/C.4/60/5/Add.19)

Manuel Nicolás González Díaz, Asociación Saharaui de Derechos Humanos (A/C.4/60/5/Add.20)

María Dolores Travieso Darias, Asociación Pro Derechos Humanos de Canarias (A/C.4/60/5/Add.21)

Pablo Rodríguez Rodríguez, Movimiento Canario de Solidaridad (A/C.4/60/5/Add.22)

Nancy Huff, Teach the Children International (A/C.4/60/5/Add.23)

Jane Bahaijoub, Family Protection (A/C.4/60/5/Add.24)

Janet Lenz, Saharawi Programs-USA (A/C.4/60/5/Add.25)

Ronny Hansen, Norwegian Support Committee for Western Sahara (A/C.4/60/5/Add.26)

Gajmoula Ebbi, COREFASA (A/C.4/60/5/Add.27)

Anna Maria Stame Cervone, Christian Democratic Women International (A/C.4/60/5/Add.28)

Tanya Warburg, Freedom for All (A/C.4/60/5/Add.29)

Mustapha Bouh, former member of the POLISARIO political bureau (A/C.4/60/5/Add.30)

Ali Najab, Association des Ex-prisonniers de l'Intégrité Territoriale (A/C.4/60/5/Add.31)

Carlos Wilson, US-Western Sahara Foundation (A/C.4/60/5/Add.32)

Frank Ruddy, United States Ambassador (retired) (A/C.4/60/5/Add.33)

Douihi Mohamed Rachid, Conseil Consultatif pour le Sahara (A/C.4/60/5/Add.34)

Sydney S. Assor, Surrey Three Faiths Forum (A/C.4/60/5/Add.35)

Lord Francis Newall, DL, International Committee for the Tindouf Prisoners (A/C.4/60/5/Add.36)

Ghallaoui Sidati, Institut des Études Africaines (A/C.4/60/5/Add.37)

Erik Hagen, Western Sahara Resource Watch (A/C.4/60/5/Add.38)

Rabbani Mohamed Abdelkader, Personalité Sahraouie, ex-Ministre du POLISARIO (A/C.4/60/5/Add.39)

JoMarie Fecci, Paris Tempo Productions (A/C.4/60/5/Add.40)

Anja Oksalampi, YAAKAARE-REDHRIC (A/C.4/60/5/Add.41)

Pedro Pinto Leite, International Platform of Jurists for East Timor (A/C.4/60/5/Add.42)

Latifa Aït-Baala, Euro-Mediterranean Women's Committee (A/C.4/60/5/Add.43)

Juán José Antequera Luengo, Coordinadora de Asociaciones de Solidaridad con el Pueblo Saharaui de España (A/C.4/60/5/Add.44).

6. At the 3rd meeting, on 6 October 2005, with the Committee's consent and in accordance with established practice, the Chief Minister of Gibraltar, Peter Caruana, made a statement (see A/C.4/60/SR.3).

7. At the same meeting, the Leader of the Opposition in Gibraltar, J. J. Bossano, made a statement (see A/C.4/60/SR.3).

8. Also at the same meeting, the Committee heard the following petitioners: Julian Aguon on behalf of Trini Torres, Debtralynne K. Quinata, Vanessa Ramos, Helen Hardin (on behalf of Zach Wamp), Antonio López Ortiz, María Inés Miranda Navarro, Rosa María Ostogain Etxeberria and Justin Knapp (see A/C.4/60/SR.3).

9. At its 4th meeting, on 7 October, the Committee heard the following petitioners: Felipe Briones Vives, Sergio de la Asunción Alfonso Miranda, Pedro Pinto Leite, David J. Lippiat, Francisco José Alonso Rodríguez, Sepp Van der Veken, Hilde Teuwen, Dan Stanley, Suzanne Scholte, Jan Strömdahl, Rafael Esparza Machín, Cynthia Basinet, Tray Hicks (on behalf of Ted Poe), Aymeric Chauprade, Manuel Nicolás González Díaz, María Dolores Travieso Darias, Pablo Rodríguez Rodríguez, Nancy Huff, Lord Newall, Janet Lenz, Jane Bahaijoub, Anna Maria Stame Cervone, Tanya Warburg and Sydney S. Assor (see A/C.4/60/SR.4).

10. At its 5th meeting, on 10 October, the Committee heard the following petitioners: Ali Najab, Frank Ruddy, Douihi Mohamed Rachid, Latifa Aït-Baala, Gajmoula Ebbi, Ghallaoui Sidati, JoMarie Fecci, Rabbani Mohamed Abdelkader, Ronny Hansen, Anja Oksalampi, Ahmed Boukhari, and Mustapha Bouh and Roch Wamytan (see A/C.4/60/SR.5).

II. Consideration of proposals

A. Question of Western Sahara

11. At its 6th meeting, on 11 October, the Committee had before it a draft resolution entitled "Question of Western Sahara" (A/C.4/60/L.4), submitted by the Chairman.

12. At the same meeting, the Committee adopted draft resolution A/C.4/60/L.4 without a vote (see para. 32, draft resolution I).

13. After the adoption of the draft resolution, statements in explanation of position were made by the representatives of the United Kingdom of Great Britain and Northern Ireland (on behalf of the European Union), Algeria and Morocco. (see A/C.4/60/SR.6).

B. Question of New Caledonia

14. At its 6th meeting, on 11 October, the Committee adopted the draft resolution entitled "Question of New Caledonia" contained in chapter XII, section D, of the report of the Special Committee[1] without a vote (see para. 32, draft resolution II).

C. Question of Tokelau

15. At its 6th and 7th meetings, on 11 and 12 October, the Committee decided to defer action on the draft resolution entitled "Question of Tokelau" contained in chapter XII, section E, of the report of the Special Committee.[1]

16. At the 16th meeting, on 25 October, the representative of Papua New Guinea, also on behalf of Fiji, introduced amendments (A/C.4/60/L.5) to the draft resolution entitled "Question of Tokelau" contained in chapter XII, section E, of the report of the Special Committee.[1]

17. Also at the 16th meeting, the Committee adopted the draft resolution entitled "Question of Tokelau" contained in chapter XII, section E, of the report of the Special Committee[1] as amended, without a vote (see para. 32, draft resolution III).

18. Also at the same meeting, the representatives of New Zealand and Saint Lucia made statements (see A/C.4/60/SR.16).

D. Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands

19. At its 6th meeting, on 11 October, the Committee adopted the consolidated draft resolution entitled "Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands" contained in chapter XII, section F, of the report of the Special Committee[1] without a vote (see para. 32, draft resolution IV).

20. At the same meeting, statements in explanation of position were made by the representatives of Argentina, Spain and the United Kingdom of Great Britain and Northern Ireland (see A/C.4/60/SR.6).

E. Dissemination of information on decolonization

21. At its 6th meeting, on 11 October, the Committee adopted the draft resolution entitled "Dissemination of information on decolonization" contained in chapter XII, section G, of the report of the Special Committee,[1] by a recorded vote of 142 to 3, with 1 abstention (see para. 32, draft resolution V). The voting was as follows:[2]

[2] Subsequently, the delegation of Denmark indicated that it had intended to vote in favour.

In favour:

Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Belize, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Yemen, Zambia.

Against:

Israel, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

France.

22. At the same meeting, a statement in explanation of position was made by the representative of the United Kingdom of Great Britain and Northern Ireland (see A/C.4/60/SR.6).

F. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

23. At its 6th meeting, on 11 October, the Committee adopted the draft resolution entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples" contained in chapter XII, section H, of the report of the Special Committee[1] by a recorded vote of 141 to 3, with 3 abstentions (see para. 32, draft resolution VI). The voting was as follows:[3]

In favour:

Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belize, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi,

[3] Subsequently, the delegation of Denmark indicated that it had intended to vote in favour; the delegation of Luxembourg indicated that it had intended to abstain.

Cambodia, Cameroon, Canada, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Gabon, Georgia, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tunisia, Turkey, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia.

Against:

Israel, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Belgium, France, Germany.

24. At the same meeting, a statement in explanation of position was made by the representative of the United Kingdom of Great Britain and Northern Ireland (see A/C.4/60/SR.6).

G. Second International Decade for the Eradication of Colonialism

25. At its 6th meeting, on 11 October, the Committee decided to defer action on the draft resolution entitled "Second International Decade for the Eradication of Colonialism" contained in chapter XII, section I, of the report of the Special Committee.[1]

26. At its 7th meeting, on 12 October, the Chairman stated that the Secretariat had informed him that there were no programme budget implications associated with the draft resolution.

27. At the same meeting, the Committee adopted the draft resolution entitled "Second International Decade for the Eradication of Colonialism" contained in chapter XII, section I, of the report of the Special Committee[1] by a recorded vote of 72 to 3, with 30 abstentions (see para. 32, resolution VII). The voting was as follows:[4]

[4] Subsequently, the delegation of Pakistan indicated that it had intended to vote in favour.

In favour:

Algeria, Andorra, Antigua and Barbuda, Argentina, Australia, Bahrain, Bangladesh, Belarus, Bolivia, Brazil, Cambodia, Canada, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Denmark, Djibouti, Ecuador, Egypt, Eritrea, Guatemala, Guinea, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Japan, Jordan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Maldives, Malta, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, New Zealand, Nigeria, Oman, Panama, Peru, Philippines, Portugal, Qatar, Republic of Korea, Russian Federation, Saint Lucia, San Marino, Saudi Arabia, Senegal, Singapore, Spain, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Timor-Leste, United Arab Emirates, Uruguay, Zambia.

Against:

Israel, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Austria, Belgium, Croatia, Czech Republic, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Monaco, Netherlands, Norway, Poland, Republic of Moldova, Romania, Serbia and Montenegro, Slovakia, Slovenia, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine.

28. At the same meeting, a statement in explanation of position was made by the representative of the United Kingdom of Great Britain and Northern Ireland (see A/C.4/60/SR.7).

29. Also at the same meeting, the representative of Saint Lucia made a statement (see A/C.4/60/SR.7).

H. Question of Gibraltar

30. At its 6th meeting, on 11 October, the Committee had before it a draft decision entitled "Question of Gibraltar" (A/C.4/60/L.3), submitted by the Chairman.

31. At the same meeting, the Committee adopted draft decision A/C.4/60/L.3 without a vote (see para. 33).

III. Recommendations of the Special Political and Decolonization Committee (Fourth Committee)

32. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

Reaffirming the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and General Assembly resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolution 59/131 of 10 December 2004,

Recalling also all resolutions of the General Assembly and the Security Council on the question of Western Sahara,

Recalling further Security Council resolutions 658 (1990) of 27 June 1990 and 690 (1991) of 29 April 1991, by which the Council approved the settlement plan for Western Sahara,[1]

Recalling Security Council resolutions 1359 (2001) of 29 June 2001 and 1429 (2002) of 30 July 2002, as well as 1495 (2003) of 31 July 2003, in which the Council expressed its support of the peace plan for self-determination of the people of Western Sahara[2] as an optimum political solution on the basis of agreement between the two parties, and resolutions 1541 (2004) of 29 April 2004, 1570 (2004) of 28 October 2004 and 1598 (2005) of 28 April 2005,

Taking note of the responses of the parties and neighbouring States to the Personal Envoy of the Secretary-General concerning the peace plan contained in the report of the Secretary-General of 23 May 2003,[3]

Reaffirming the responsibility of the United Nations towards the people of Western Sahara,

Noting with satisfaction the entry into force of the ceasefire in accordance with the proposal made by the Secretary-General, and stressing the importance it attaches to the maintenance of the ceasefire as an integral part of the settlement plan,

Underlining, in this regard, the validity of the settlement plan, while noting the fundamental differences between the parties in its implementation,

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[1] See S/21360 and S/22464 and Corr.1.

[2] S/2003/565 and Corr.1, annex II.

[3] S/2003/565 and Corr.1.

Stressing that the lack of progress in the settlement of the dispute on Western Sahara continues to cause suffering to the people of Western Sahara, remains a source of potential instability in the region and obstructs the economic development of the Maghreb region and that, in view of this, the search for a political solution is critically needed,

Welcoming the efforts of the Secretary-General and his Personal Envoy in search of a mutually acceptable political solution, which will provide for self-determination of the people of Western Sahara,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[4]

Having also examined the report of the Secretary-General,[5]

1. *Takes note* of the report of the Secretary-General;[5]

2. *Underlines* Security Council resolution 1495 (2003), in which the Council expressed its support of the peace plan for self-determination of the people of Western Sahara as an optimum political solution on the basis of agreement between the two parties;

3. *Underlines also* that the parties reacted differently to this plan;

4. *Continues to support strongly* the efforts of the Secretary-General and his Personal Envoy to achieve a mutually acceptable political solution to the dispute over Western Sahara;

5. *Commends* the Secretary-General and his Personal Envoy for their outstanding efforts and the two parties for the spirit of cooperation they have shown in the support they provide for those efforts;

6. *Calls upon* all the parties and the States of the region to cooperate fully with the Secretary-General and his Personal Envoy;

7. *Reaffirms* the responsibility of the United Nations towards the people of Western Sahara;

8. *Calls upon* the parties to cooperate with the International Committee of the Red Cross in its efforts to solve the problem of the fate of the people unaccounted for, and calls upon the parties to abide by their obligations under international humanitarian law to release without further delay all those held since the start of the conflict;

9. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara and to report thereon to the General Assembly at its sixty-first session;

10. *Invites* the Secretary-General to submit to the General Assembly at its sixty-first session a report on the implementation of the present resolution.

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[4] See *Official Records of the General Assembly, Sixtieth Session, Supplement No. 23* (A/60/23), chap. VIII.

[5] A/60/116.

Draft resolution II
Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to New Caledonia,[1]

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including measures in the area of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of the act of self-determination of New Caledonia,

Noting with satisfaction the intensification of contacts between New Caledonia and neighbouring countries of the South Pacific region,

1. *Welcomes* the significant developments that have taken place in New Caledonia as exemplified by the signing of the Nouméa Accord of 5 May 1998 by the representatives of New Caledonia and the Government of France;[2]

2. *Urges* all the parties involved, in the interest of all the people of New Caledonia, to maintain, in the framework of the Nouméa Accord, their dialogue in a spirit of harmony;

3. *Notes* the relevant provisions of the Nouméa Accord aimed at taking more broadly into account the Kanak identity in the political and social organization of New Caledonia, and also those provisions of the Accord relating to control of immigration and protection of local employment;

4. *Also notes* the relevant provisions of the Nouméa Accord to the effect that New Caledonia may become a member or associate member of certain international organizations, such as international organizations in the Pacific region, the United Nations, the United Nations Educational, Scientific and Cultural Organization and the International Labour Organization, according to their regulations;

5. *Further notes* the agreement between the signatories of the Nouméa Accord that the progress made in the emancipation process shall be brought to the attention of the United Nations;

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[1] See *Official Records of the General Assembly, Sixtieth Session, Supplement No. 23* (A/60/23), chap. VIII.

[2] A/AC.109/2114, annex.

6. *Welcomes* the fact that the administering Power invited to New Caledonia, at the time the new institutions were established, a mission of information which comprised representatives of countries of the Pacific region;

7. *Calls upon* the administering Power to continue to transmit to the Secretary-General information as required under Article 73 *e* of the Charter;

8. *Invites* all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all sectors of the population, according to the letter and the spirit of the Nouméa Accord, which is based on the principle that it is for the populations of New Caledonia to choose how to control their destiny;

9. *Welcomes* the measures that have been taken to strengthen and diversify the New Caledonian economy in all fields, and encourages further such measures in accordance with the spirit of the Matignon and Nouméa Accords;

10. *Also welcomes* the importance attached by the parties to the Matignon and Nouméa Accords to greater progress in housing, employment, training, education and health care in New Caledonia;

11. *Acknowledges* the contribution of the Melanesian Cultural Centre to the protection of the indigenous Kanak culture of New Caledonia;

12. *Notes* the positive initiatives aimed at protecting the natural environment of New Caledonia, notably the "Zonéco" operation designed to map and evaluate marine resources within the economic zone of New Caledonia;

13. *Acknowledges* the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French and territorial authorities to facilitate the further development of those links, including the development of closer relations with the countries members of the Pacific Islands Forum;

14. *Welcomes*, in this regard, the accession by New Caledonia to the status of observer in the Pacific Islands Forum, continuing high-level visits to New Caledonia by delegations from countries of the Pacific region and high-level visits by delegations from New Caledonia to countries members of the Pacific Islands Forum;

15. *Welcomes also* the cooperative attitude of other States and Territories in the region towards New Caledonia, its economic and political aspirations and its increasing participation in regional and international affairs and its intention to host the 2005 meeting of the Ministerial Committee of the Pacific Islands Forum;

16. *Decides* to keep under continuous review the process unfolding in New Caledonia as a result of the signing of the Nouméa Accord;

17. *Requests* the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue the examination of the question of the Non-Self-Governing Territory of New Caledonia and to report thereon to the General Assembly at its sixty-first session.

Draft resolution III
Question of Tokelau

The General Assembly,

Having considered the question of Tokelau,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Tokelau,[1]

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Non-Self-Governing Territories, in particular Assembly resolution 59/133 of 10 December 2004,

Noting with appreciation the continuing exemplary cooperation of New Zealand as the administering Power with regard to the work of the Special Committee relating to Tokelau and its readiness to permit access by United Nations visiting missions to the Territory,

Noting also with appreciation the collaborative contribution to the development of Tokelau by New Zealand and the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme,

Recalling the inauguration in 1999 of a national legislative body, the General Fono, based on village elections by universal adult suffrage and the assumption by that body in June 2003 of full responsibility for the Tokelau budget,

Recalling also the report of the United Nations mission dispatched in August 2002 to Tokelau at the invitation of the Government of New Zealand and the representatives of Tokelau,[2]

Noting that, as a small island Territory, Tokelau exemplifies the situation of most remaining Non-Self-Governing Territories and that, as a case study pointing to successful cooperation for decolonization, Tokelau has wider significance for the United Nations as it seeks to complete its work in decolonization,

Recalling that New Zealand and Tokelau signed in November 2003 a document entitled "Joint statement of the principles of partnership", which sets out in writing, for the first time, the rights and obligations of the two partner countries,

Bearing in mind the decision of the General Fono at its meeting in November 2003, following extensive consultations undertaken in all three villages, to explore formally with New Zealand the option of self-government in free association, and its decision in August 2005 to hold a referendum on self-government on the basis of a draft constitution for Tokelau and a treaty of free association with New Zealand,

1. *Notes* that Tokelau remains firmly committed to the development of self-government and to an act of self-determination that would result in Tokelau assuming a status in accordance with the options on future status for Non-Self-

[1] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 23* (A/60/23), chap. X.

[2] A/AC.109/2002/31.

Governing Territories contained in principle VI of the annex to General Assembly resolution 1541 (XV) of 15 December 1960;

2. *Welcomes* the substantial progress made towards the devolution of power to the three taupulega (village councils), in particular the delegation of the Administrator's powers to the three taupulega with effect from 1 July 2004 and the assumption by each taupulega from that date of full responsibility for the management of all its public services;

3. *Recalls* the decision of the General Fono in November 2003, following extensive consultations in all three villages and a meeting of the Special Committee on the Constitution of Tokelau, to explore formally with New Zealand the option of self-government in free association, and the discussions between Tokelau and New Zealand pursuant to the General Fono decision;

4. *Welcomes* the decision of the General Fono in August 2005 to hold a referendum on self-government on the basis of a draft constitution for Tokelau and a treaty of free association with New Zealand, and notes the General Fono's enactment of rules for the referendum;

5. *Notes* that it is the wish of Tokelau, supported by New Zealand, that the United Nations monitor the referendum;

6. *Acknowledges* Tokelau's initiative in devising a strategic economic development plan for the period 2002-2004 to advance its capacity for self-government, and notes that a plan for the period 2005-2007 has been finalized;

7. *Also acknowledges* the continuing assistance that New Zealand has committed to promoting Tokelau's welfare, as well as the cooperation of the United Nations Development Programme, including the relief and recovery assistance provided in the aftermath of Cyclone Percy earlier this year;

8. *Further acknowledges* Tokelau's need for continued reassurance, given the cultural adjustments that are taking place with the strengthening of its capacity for self-government and, since local resources cannot adequately cover the material side of self-determination, the ongoing responsibility of Tokelau's external partners to assist Tokelau in balancing its desire to be self-reliant to the greatest extent possible with its need for external assistance;

9. *Welcomes* the establishment of the Tokelau International Trust Fund to support the future development needs of Tokelau and the facilitation of this process through a donor round table to be convened by the United Nations Development Programme following an act of self-determination by Tokelau, and calls upon Member States and international and regional agencies to announce contributions to the Fund and thereby lend practical support to assist this emerging country in overcoming the problems of smallness, isolation and lack of resources;

10. *Also welcomes* the assurance of the Government of New Zealand that it will meet its obligations to the United Nations with respect to Tokelau and abide by the freely expressed wishes of the people of Tokelau with regard to their future status;

11. *Further welcomes* the cooperative attitude of the other States and territories in the region towards Tokelau, its economic and political aspirations and its increasing participation in regional and international affairs;

12. *Welcomes* the associate membership of Tokelau in the United Nations Educational, Scientific and Cultural Organization, its recent accession to membership in the Forum Fisheries Agency and its application for observer status at the Pacific Islands Forum and associate membership in the South Pacific Applied Geoscience Commission;

13. *Calls upon* the administering Power and United Nations agencies to continue to provide assistance to Tokelau as it further develops its economy and governance structures in the context of its ongoing constitutional evolution;

14. *Welcomes* the actions taken by the administering Power to transmit information regarding the political, economic and social situation of Tokelau to the Secretary-General;

15. *Notes with satisfaction* the successful visit to Tokelau in October 2004 by the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to attend the workshop of the Tokelauan Special Committee on the Constitution;

16. *Notes* the considerable progress made towards the adoption of a Constitution and of national symbols by Tokelau, the steps taken by Tokelau and New Zealand to agree to a draft treaty of free association as a basis for an act of self-determination and the strong support expressed by Tokelauan communities in New Zealand for the move by Tokelau towards self-determination;

17. *Welcomes* the invitation extended by the representatives of Tokelau and the administering Power to the United Nations to monitor an act of self-determination by Tokelau;

18. *Requests* the Special Committee to continue to examine the question of the Non-Self-Governing Territory of Tokelau and to report thereon to the General Assembly at its sixty-first session.

Draft resolution IV
Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands

A
General

The General Assembly,

Having considered the questions of the Non-Self-Governing Territories of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands, hereinafter referred to as "the Territories",

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[1]

Recalling all resolutions and decisions of the United Nations relating to those Territories, including, in particular, the resolutions adopted by the General Assembly at its fifty-ninth session on the individual Territories covered by the present resolution,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the peoples concerned and in conformity with the clearly defined principles contained in resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960 and other resolutions of the Assembly,

Recalling General Assembly resolution 1541 (XV), containing the principles that should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 *e* of the Charter of the United Nations,

Expressing its concern that more than forty-four years after the adoption of the Declaration there still remain a number of Non-Self-Governing Territories,

Conscious of the importance of continuing effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2010 and the plan of action for the Second International Decade for the Eradication of Colonialism,[2]

Recognizing that the specific characteristics and the sentiments of the peoples of the Territories require flexible, practical and innovative approaches to the options of self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

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[1] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 23* (A/60/23), chap. IX.

[2] See A/56/61, annex.

Taking note of the stated position of the Government of the United Kingdom of Great Britain and Northern Ireland on the Non-Self-Governing Territories under its administration,[3]

Taking note also of the stated position of the Government of the United States of America on the Non-Self-Governing Territories under its administration,[4]

Taking note further of the stated positions of the representatives of the Non-Self-Governing Territories before the Special Committee and in its regional seminars,

Noting the constitutional developments in some Non-Self-Governing Territories about which the Special Committee has received information,

Aware of the importance both to the Territories and to the Special Committee of the participation of elected and appointed representatives of the Territories in the work of the Special Committee,

Convinced that the wishes and aspirations of the peoples of the Territories should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Convinced also that any negotiations to determine the status of a Territory must take place with the active involvement and participation of the people of that Territory, under the supervision of the United Nations, on a case-by-case basis, and that the views of the peoples of the Non-Self-Governing Territories in respect of their right to self-determination should be ascertained,

Aware of the importance of international financial services for the economies of some of the Non-Self-Governing Territories,

Noting the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including their participation in the work of regional organizations,

Mindful that United Nations visiting missions provide an effective means of ascertaining the situation in the Territories, that some Territories have not received a United Nations visiting mission for a long time and that no visiting missions have been sent to some of the Territories, and considering the possibility of sending further visiting missions to the Territories at an appropriate time and in consultation with the administering Powers,

Mindful also that, in order for the Special Committee to enhance its understanding of the political status of the peoples of the Territories and to fulfil its mandate effectively, it is important for it to be apprised by the administering Powers and to receive information from other appropriate sources, including the representatives of the Territories, concerning the wishes and aspirations of the peoples of the Territories,

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[3] See *Official Records of the General Assembly, Fifty-ninth Session, Fourth Committee*, 3rd meeting (A/C.4/59/SR.3).

[4] Ibid., *Fifty-eighth Session, Plenary Meetings*, 72nd meeting (A/58/PV.72), and corrigendum.

Recognizing the need for the Special Committee to embark actively on a public awareness campaign aimed at assisting the peoples of the Territories in gaining an understanding of the options of self-determination,

Mindful, in this connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters and other venues, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate, and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in their success, while recognizing the need for reviewing the role of those seminars in the context of a United Nations programme for ascertaining the political status of the Territories,

Mindful also that, by holding a Caribbean regional seminar in Canouan, Saint Vincent and the Grenadines, from 17 to 19 May 2005, the Special Committee was able to hear the views of the representatives of the Territories and Member States as well as organizations and experts in the region, [5] in order to review the political, economic and social conditions in the Territories,

Conscious of the particular vulnerability of the Territories to natural disasters and environmental degradation and, in this connection, bearing in mind the applicability to the territories of the programmes of action of the United Nations Conference on Environment and Development,[6] the World Conference on Natural Disaster Reduction,[7] the Global Conference on the Sustainable Development of Small Island Developing States,[8] the International Conference on Population and Development,[9] the United Nations Conference on Human Settlements (Habitat II),[10] the World Summit on Sustainable Development,[11] the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance[12] and other relevant United Nations world conferences and summits,

Noting with appreciation the contribution to the development of some Territories by specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific, as well as regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organization of

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[5] Ibid., *Sixtieth Session, Supplement No. 23* (A/60/23), chap. II, annex.

[6] See *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions adopted by the Conference*.

[7] See A/CONF.172/9, chap. I.

[8] See *Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April–6 May 1994* (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I.

[9] *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994*, (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[10] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3–14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II.

[11] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

[12] See A/CONF.189/12 and Corr.1, chap. I.

Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations in the Pacific,

Aware that the Human Rights Committee, as part of its mandate under the International Covenant on Civil and Political Rights,[13] reviews the status of the self-determination process of small island Territories under examination by the Special Committee,

Recalling the ongoing efforts of the Special Committee in carrying out a critical review of its work with the aim of making appropriate and constructive recommendations and decisions to attain its objectives in accordance with its mandate,

1. *Reaffirms* the inalienable right of the peoples of the Territories to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Reaffirms also* that, in the process of decolonization, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

3. *Reaffirms further* that it is ultimately for the peoples of the Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection reiterates its long-standing call for the administering Powers, in cooperation with the territorial Governments, to promote political education in the Territories in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in General Assembly resolution 1541 (XV);

4. *Requests* the administering Powers to transmit regularly to the Secretary-General information called for under Article 73 *e* of the Charter;

5. *Stresses* the importance of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples being apprised of the views and wishes of the peoples of the Territories and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the Non-Self-Governing Territories and their respective administering Powers;

6. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of the Territories, and recommends that priority continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

7. *Requests* the Special Committee to continue to follow closely the developments in legislation in the area of international financial services and their impact on the economy in some of the Territories;

[13] See resolution 2200 (XXI), annex.

8. *Requests* the Territories and the administering Powers to take all necessary measures to protect and conserve the environment of the Territories under their administration against any environmental degradation, and once again requests the specialized agencies concerned to continue to monitor environmental conditions in those Territories;

9. *Welcomes* the participation of the Non-Self-Governing Territories in regional activities, including the work of regional organizations;

10. *Stresses* the importance of implementing the plan of action for the Second International Decade for the Eradication of Colonialism,[2] in particular by expediting the application of the work programme for the decolonization of each Non-Self-Governing Territory, on a case-by-case basis and by completing the periodic analyses of the progress and extent of the implementation of the Declaration in each Territory;

11. *Invites* the administering Powers to participate fully in the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Special Committee on the implementation of provisions under Article 73 *b* of the Charter on efforts to promote self-government in the Territories;

12. *Urges* Member States to contribute to the efforts of the United Nations to usher in a world free of colonialism within the Second International Decade for the Eradication of Colonialism, and calls upon them to continue to give their full support to the Special Committee in its endeavours towards that noble goal;

13. *Notes* that some Non-Self-Governing Territories have expressed concern at the procedure followed by one administering Power, contrary to the wishes of the Territories themselves, namely, of amending or enacting legislation for the Territories through Orders in Council, in order to apply to the Territories the international treaty obligations of the administering Power;

14. *Takes note* of the constitutional reviews in the Territories administered by the United Kingdom of Great Britain and Northern Ireland, led by the territorial Governments and designed to address the internal constitutional structure within the present territorial arrangement;

15. *Also takes note* of the report of the Secretary-General on the midterm review of the Second International Decade for the Eradication of Colonialism,[14] and requests the Secretary-General to report to the General Assembly at its sixty-first session on the implementation of decolonization resolutions adopted since the declaration of the Second International Decade;

16. *Requests* the Special Committee to collaborate with the Human Rights Committee within the framework of its mandate on the right to self-determination as contained in the International Covenant on Civil and Political Rights[13] with the aim of exchanging information, given that the Committee reviews political and constitutional developments in many of the Non-Self-Governing Territories that are under review by the Special Committee;

[14] A/60/71 and Add.1.

17. *Also requests* the Special Committee to continue to examine the question of the Non-Self-Governing Territories and to report thereon to the General Assembly at its sixty-first session.

B
Individual territories

The General Assembly,

Referring to resolution A above,

I
American Samoa

Taking note of the position of the administering Power and the statements of representatives of American Samoa made in the regional seminars expressing satisfaction with the Territory's present relationship with the United States of America,

Noting that the Government of the Territory continues to take steps to increase revenues and decrease government expenditures,

Noting also that the Territory, similar to isolated communities with limited funds, continues to experience a lack of adequate medical and other infrastructural facilities,

1. *Notes* that the Department of the Interior of the United States of America provides that the Secretary of the Interior has administrative jurisdiction over American Samoa; [15]

2. *Calls upon* the administering Power to continue to assist the territorial Government in the economic and social development of the Territory, including measures to rebuild financial management capabilities and strengthen other governmental functions of the Government of the Territory, and welcomes the assistance from the administering Power to the Territory in its recovery efforts following the recent floods;

3. *Welcomes* the invitation extended to the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the Governor of American Samoa and reiterated, most recently at the Caribbean regional seminar held in Canouan, Saint Vincent and the Grenadines, from 17 to 19 May 2005, to send a visiting mission to the Territory, calls upon the administering Power to facilitate such a mission, and requests the Chairman of the Special Committee to take all the necessary steps to that end;

4. *Takes note* of the statement of the representative of the Governor of the Territory at the Caribbean regional seminar requesting the Special Committee to provide information on the process of self-governance; [16]

[15] Pursuant to Secretary's Order 2657, Department of the Interior, United States of America.

[16] See *Official Records of the General Assembly, Sixtieth Session, Supplement No. 23* (A/60/23), chap. II, annex, para. 22.

II
Anguilla

Taking note of the constitutional review process led by the territorial Government,

Recalling the holding of the 2003 Caribbean regional seminar in Anguilla, the first time that the seminar has been held in a Non-Self-Governing Territory,

Noting the desire of the territorial Government and the people of Anguilla for a visiting mission by the Special Committee,

Aware of the efforts of the Government of Anguilla to continue to develop the Territory as a viable offshore centre and well-regulated financial centre for investors by enacting modern company and trust laws, as well as partnership and insurance legislation, and computerizing the company registry system,

1. *Welcomes* the constitutional review process led by the Government of Anguilla in cooperation with the administering Power;

2. *Recalls* the cooperation of the territorial Government of Anguilla and the United Kingdom of Great Britain and Northern Ireland in holding the 2003 Caribbean regional seminar in Anguilla, and notes that the staging of the seminar in a Non-Self-Governing Territory for the first time, as well as a town hall meeting between the people of Anguilla and the Special Committee during the seminar, contributed to its success;

III
Bermuda

Noting the results of the independence referendum held on 16 August 1995, conscious of the different viewpoints of the political parties of the Territory on the future status of the Territory, and aware of the active boycott of the referendum by the then-opposition party,

Noting also the statement of the Premier of Bermuda in his Founder's Day address that there could never be a true democracy as long as the country remains a colony or an overseas dependent Territory, and that only with independence can national unity be forged and pride in being Bermudian fully developed,

1. *Welcomes* the agreement reached in June 2002 between the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Territory formally transferring the former military base lands to the territorial Government, and the provision of financial resources to address some of the environmental problems;

2. *Also welcomes* the dispatch of the United Nations special mission to Bermuda at the request of the territorial Government and with the concurrence of the administering Power, which provided information to the people of the Territory on the role of the United Nations in the process of self-determination, on the legitimate political status options as clearly defined in General Assembly resolution 1541 (XV) and on the experiences of other small States that have achieved a full measure of self-government;

3. *Decides* to follow closely the public consultations on the future political status of Bermuda under way in the Territory, and requests the relevant United

Nations organizations to provide assistance to the Territory, if requested, in the context of its public education programme;

IV
British Virgin Islands

Taking note of the constitutional review process led by the territorial Government,

Noting that the Territory continues to emerge as one of the world's leading offshore financial centres,

1. *Welcomes* the constitutional review process led by the Government of the British Virgin Islands in cooperation with the administering Power;

2. *Takes note* of the statement made by the representative of the Legislative Council of the Territory at the Caribbean regional seminar held in Canouan, Saint Vincent and the Grenadines, from 17 to 19 May 2005,[17] who presented an analysis of the internal constitutional review process;

3. *Welcomes* the establishment of the Inter-Virgin Islands Council between the elected Governments of the British Virgin Islands and the United States Virgin Islands as a mechanism for functional cooperation between the two neighbouring Territories and the subsequent creation of eleven standing committees on natural resources management, mutual disaster preparedness and assistance and constitutional development, among other areas;

V
Cayman Islands

Taking note of the constitutional review process led by the territorial Government,

Noting the approval by the Cayman Islands Legislative Assembly of the Territory's Vision 2008 Development Plan, which aims to promote development that is consistent with the aims and values of Caymanian society,

1. *Welcomes* the continuing constitutional review process led by the Government of the Cayman Islands in cooperation with the administering Power;

2. *Takes note* of the statement made by the representative of the Non-Governmental Organizations Constitutional Working Group of the Cayman Islands Chamber of Commerce at the Caribbean regional seminar held in Canouan, Saint Vincent and the Grenadines, from 17 to 19 May 2005,[18] which called for a comprehensive educational programme, to be defined by the Special Committee, on the issue of self-determination, as well as a visiting mission to the Territory;

VI
Guam

Recalling that, in a referendum held in 1987, the registered and eligible voters of Guam endorsed a draft Guam Commonwealth Act that would establish a new

[17] Ibid., para. 23.

[18] Ibid., para. 34.

framework for relations between the Territory and the administering Power, providing for a greater measure of internal self-government for Guam and recognition of the right of the Chamorro people of Guam to self-determination for the Territory,

Recalling also the requests by the elected representatives and non-governmental organizations of the Territory that Guam not be removed from the list of the Non-Self-Governing Territories with which the Special Committee is concerned, pending the self-determination of the Chamorro people and taking into account their legitimate rights and interests,

Aware that negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act are no longer continuing and that Guam has established the process for a self-determination vote by the eligible Chamorro voters,

Cognizant that the administering Power continues to implement its programme of transferring surplus federal land to the Government of Guam,

Noting that the people of the Territory have called for reform in the programme of the administering Power with respect to the thorough, unconditional and expeditious transfer of land property to the people of Guam,

Conscious that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

Aware of the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture and other viable activities,

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory, and noting the recommendation of the 1996 Pacific regional seminar for sending a visiting mission to Guam,[19]

1. *Calls upon* the administering Power to take into consideration the expressed will of the Chamorro people as supported by Guam voters in the plebiscite of 1987 and as provided for in Guam law, encourages the administering Power and the territorial Government of Guam to enter into negotiations on the matter, and requests the administering Power to inform the Secretary-General of progress to that end;

2. *Requests* the administering Power to continue to assist the elected territorial Government in achieving its political, economic and social goals;

3. *Also requests* the administering Power, in cooperation with the territorial Government, to continue to transfer land to the original landowners of the Territory;

4. *Further requests* the administering Power to continue to recognize and respect the political rights and the cultural and ethnic identity of the Chamorro people of Guam, and to take all necessary measures to respond to the concerns of the territorial Government with regard to the question of immigration;

5. *Requests* the administering Power to cooperate in establishing programmes specifically intended to promote the sustainable development of

[19] See A/AC.109/2058, para. 33 (20).

economic activities and enterprises, noting the special role of the Chamorro people in the development of Guam;

6. *Also requests* the administering Power to continue to support appropriate measures by the territorial Government aimed at promoting growth in commercial fishing and agricultural and other viable activities;

VII
Montserrat

Taking note with interest of the statements made and the information on the political and economic situation in Montserrat provided by the Chief Minister of the Territory to the Caribbean regional seminar, held at The Valley, Anguilla, from 20 to 22 May 2003,

Noting with concern the dire consequences of a volcanic eruption, which led to the evacuation of three quarters of the Territory's population to safe areas of the island and to areas outside the Territory, in particular Antigua and Barbuda and the United Kingdom of Great Britain and Northern Ireland, and which continues to have enduring consequences for the economy of the island,

Welcoming the continued assistance provided to the Territory by States members of the Caribbean Community, in particular Antigua and Barbuda, which has offered safe refuge and access to educational and health facilities, as well as employment for thousands who have left the Territory,

Noting the continuing efforts of the administering Power to deal with the consequences of the volcanic eruption,

Noting with concern that a number of the inhabitants of the Territory continue to live in shelters because of volcanic activity,

Taking note of the constitutional review process led by the territorial Government,

1. *Calls upon* the administering Power, the specialized agencies and other organizations of the United Nations system, as well as regional and other organizations, to continue to provide assistance to the Territory in alleviating the consequences of the volcanic eruption;

2. *Welcomes* the continuing constitutional review process led by the Government of Montserrat in cooperation with the administering Power;

VIII
Pitcairn

Taking into account the unique nature of Pitcairn in terms of population and area,

Requests the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory and to continue its discussions with the representatives of Pitcairn on how best to support their economic security;

IX
Saint Helena

Taking into account the unique character of Saint Helena, its population and its natural resources,

Taking note of the constitutional review process led by the territorial Government and the consultative poll with regard to a new Constitution held in Saint Helena on 25 May 2005,

Aware of the efforts of the administering Power and the territorial authorities to improve the socio-economic conditions of the population of Saint Helena, in particular in the sphere of food production, continuing high unemployment and limited transport and communications,

Noting the importance of improving the infrastructure and accessibility of Saint Helena,

Noting also the importance of the right to nationality for Saint Helenians and their request that it, in principle, be included in the new Constitution,

Noting with concern the problem of unemployment on the island and the joint action of the administering Power and the territorial Government to deal with it,

1. *Welcomes* the continuing constitutional review process and the recent consultative poll led by the Government of Saint Helena in cooperation with the administering Power;

2. *Also welcomes* the decision by the administering Power to provide funding for the construction of an international airport on Saint Helena to become operational in 2010, including all required infrastructure;

3. *Requests* the administering Power and relevant international organizations to continue to support the efforts of the territorial Government to address the socio-economic development challenges, including the high unemployment and the limited transport and communications problems, as well as to support the additional infrastructure required for the airport project;

4. *Calls upon* the administering Power to take into account the concerns of Saint Helenians with regard to the right to nationality;

X
Turks and Caicos Islands

Noting the results of the general election held in April 2003,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities, as well as its problems caused by illegal immigration and the need for continued cooperation between the administering Power and the territorial Government in countering drug trafficking and money-laundering,

Taking note of the constitutional review process led by the territorial Government,

1. *Welcomes* the continuing constitutional review process led by the Government of the Turks and Caicos Islands in cooperation with the administering Power;

2. *Takes note* of the statement made by the Chief Minister of the Territory at the Caribbean regional seminar held in Canouan, Saint Vincent and the Grenadines, from 17 to 19 May 2005,[20] that his Government was in favour of a reasonable period of full internal self-government before moving to independence;

XI
United States Virgin Islands

Taking note with interest of the statements made and the information provided by the representative of the Governor of the Territory at the Caribbean regional seminar held in Canouan, Saint Vincent and the Grenadines, from 17 to 19 May 2005,[21]

Noting the continuing interest of the territorial Government in seeking associate membership in the Organization of Eastern Caribbean States and observer status in the Caribbean Community and the pending request by the Territory to the administering Power for the delegation of authority to proceed, as well as the 2003 resolution of the territorial legislature in support of that request,

Noting also the expressed interest of the territorial Government to be included in regional programmes of the United Nations Development Programme,

Noting further the necessity of further diversifying the economy of the Territory and the efforts of the Government of the Territory to promote the Territory as an offshore financial services centre,

Recalling that the Territory has not received a United Nations visiting mission since 1977, and bearing in mind the formal request of the Territory for such a mission in 1993 to assist the Territory in its political education process and to observe the Territory's only referendum on political status options in its history,

Noting the stated position of the elected Government of the Territory in opposition to legislation presently before the Congress of the administering Power to appoint a chief financial officer against the wishes of the elected Government of the Territory, and bearing in mind resolution 1664 of 17 December 2003 adopted by the Legislature of the Territory at its twenty-fifth session, in which the Legislature opposed the proposal and indicated that it would retard political and civil progress,

Noting also the ongoing cooperation between the territorial Government and Denmark on the exchange of artefacts and archives,

1. *Requests* the administering Power to continue to assist the territorial Government in achieving its political, economic and social goals;

2. *Once again requests* the administering Power to facilitate the participation of the Territory, as appropriate, in various organizations, in particular the Organization of Eastern Caribbean States, the Caribbean Community and the Association of Caribbean States;

3. *Calls for* the inclusion of the Territory in regional programmes of the United Nations Development Programme, consistent with the participation of other Non-Self-Governing Territories;

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[20] Ibid., para. 25.

[21] Ibid., para. 26.

4. *Welcomes* the establishment of the Inter-Virgin Islands Council between the elected Governments of the United States Virgin Islands and the British Virgin Islands and as a mechanism of functional cooperation between the two neighbouring Territories, and the subsequent creation of eleven standing committees on natural resources management, mutual disaster preparedness and assistance, constitutional development, among other areas;

5. *Calls upon* the administering Power to refrain from enacting any legislative or other measures that would reduce the authority of the elected Government of the Territory to control its own financial affairs;

6. *Notes* the position of the territorial Government, including its articulation in resolution 1609 of 9 April 2001, adopted by the Legislature of the Territory at its twenty-fourth session, of its opposition to the assumption by the administering Power of submerged land in territorial waters, having regard to relevant resolutions of the General Assembly on the ownership and control of natural resources, including marine resources, by the people of the Non-Self-Governing Territories, and its calls for the return of those marine resources within its jurisdiction;

7. *Notes with appreciation* the cooperation agreements existing between the Territory and Denmark, the former colonial Power of the Territory, on the exchange of artefacts and the repatriation of archival material, consistent with the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,[12] and once again requests the United Nations Educational, Scientific and Cultural Organization, under its records and archives management programme, to assist the Territory in carrying out its artefacts and archival initiative.

Draft resolution V
Dissemination of information on decolonization

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization,[1]

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and other resolutions and decisions of the United Nations concerning the dissemination of information on decolonization, in particular Assembly resolution 59/135 of 10 December 2004,

Recognizing the need for flexible, practical and innovative approaches towards reviewing the options of self-determination for the peoples of Non-Self-Governing Territories with a view to implementing the plan of action for the Second International Decade for the Eradication of Colonialism,[2]

Reiterating the importance of dissemination of information as an instrument for furthering the aims of the Declaration, and mindful of the role of world public opinion in effectively assisting the peoples of Non-Self-Governing Territories to achieve self-determination,

Recognizing the role played by the administering Powers in transmitting information to the Secretary-General in accordance with the terms of Article 73 *e* of the Charter of the United Nations,

Aware of the role of non-governmental organizations in the dissemination of information on decolonization,

1. *Approves* the activities in the field of dissemination of information on decolonization undertaken by the Department of Public Information and the Department of Political Affairs of the Secretariat, in accordance with the relevant resolutions of the United Nations on decolonization;

2. *Considers it important* to continue and expand its efforts to ensure the widest possible dissemination of information on decolonization, with particular emphasis on the options of self-determination available for the peoples of Non-Self-Governing Territories;

3. *Requests* the Department of Political Affairs and the Department of Public Information to implement the recommendations of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue their efforts to take measures through all the media available, including publications, radio and television, as well as the Internet, to give publicity to the work of the United Nations in the field of decolonization and, inter alia:

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[1] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 23* (A/60/23), chap. III.

[2] A/56/61, annex.

(a) To develop procedures to collect, prepare and disseminate, particularly to the Territories, basic material on the issue of self-determination of the peoples of Non-Self-Governing Territories;

(b) To seek the full cooperation of the administering Powers in the discharge of the tasks referred to above;

(c) To develop a working relationship with the appropriate regional and intergovernmental organizations, particularly in the Pacific and Caribbean regions, by holding periodic consultations and exchanging information;

(d) To encourage the involvement of non-governmental organizations in the dissemination of information on decolonization;

(e) To encourage the involvement of Non-Self-Governing Territories in the dissemination of information on decolonization;

(f) To report to the Special Committee on measures taken in the implementation of the present resolution;

4. *Requests* all States, including the administering Powers, to accelerate the dissemination of information referred to in paragraph 2 above;

5. *Requests* the Special Committee to continue to examine this question and to report to the General Assembly at its sixty-first session on the implementation of the present resolution.

Draft resolution VI
Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[1]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all its subsequent resolutions concerning the implementation of the Declaration, the most recent of which was resolution 59/136 of 10 December 2004, as well as the relevant resolutions of the Security Council,

Bearing in mind its resolution 55/146 of 8 December 2000, by which it declared the period 2001-2010 the Second International Decade for the Eradication of Colonialism, and the need to examine ways to ascertain the wishes of the peoples of the Non-Self-Governing Territories on the basis of resolution 1514 (XV) and other relevant resolutions on decolonization,

Recognizing that the eradication of colonialism has been one of the priorities of the United Nations and continues to be one of its priorities for the decade that began in 2001,

Reconfirming the need to take measures to eliminate colonialism by 2010, as called for in its resolution 55/146,

Reiterating its conviction of the need for the eradication of colonialism, as well as racial discrimination and violations of basic human rights,

Noting with satisfaction the achievements of the Special Committee in contributing to the effective and complete implementation of the Declaration and other relevant resolutions of the United Nations on decolonization,

Stressing the importance of the formal participation of the administering Powers in the work of the Special Committee,

Noting with interest the cooperation and active participation of some administering Powers in the work of the Special Committee, and encouraging the others also to do so,

Taking note of the fact that the Special Committee held a Caribbean regional seminar on the mid-term review, follow-up and priorities for action of the Second International Decade for the Eradication of Colonialism at Canouan, Saint Vincent and the Grenadines, from 17 to 19 May 2005,[2]

1. *Reaffirms* its resolution 1514 (XV) and all other resolutions and decisions on decolonization, including its resolution 55/146, by which it declared the period 2001-2010 the Second International Decade for the Eradication of Colonialism, and calls upon the administering Powers, in accordance with those resolutions, to take

[1] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 23* (A/60/23).

[2] Ibid., chap. II, annex.

all necessary steps to enable the peoples of the Non-Self-Governing Territories concerned to exercise fully as soon as possible their right to self-determination, including independence;

2. *Reaffirms once again* that the existence of colonialism in any form or manifestation, including economic exploitation, is incompatible with the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;[3]

3. *Reaffirms its determination* to continue to take all steps necessary to bring about the complete and speedy eradication of colonialism and the faithful observance by all States of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;

4. *Affirms once again its support* for the aspirations of the peoples under colonial rule to exercise their right to self-determination, including independence, in accordance with relevant resolutions of the United Nations on decolonization;

5. *Calls upon* the administering Powers to cooperate fully with the Special Committee to finalize before the end of 2005 a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

6. *Welcomes* the progress made in the ongoing consultations between the Special Committee and New Zealand, as administering Power for Tokelau, with the participation of representatives of the people of Tokelau, as evidenced by the decision of the General Fono of Tokelau in November 2003 to actively explore with New Zealand the option of self-government in free association;

7. *Also welcomes* the dispatch of the United Nations special mission to Bermuda, at the request of the territorial Government and with the concurrence of the administering Power, which provided information to the people of the Territory on the role of the United Nations in the process of self-determination, on the legitimate political status options, as clearly defined in General Assembly resolution 1541 (XV) of 15 December 1960, and on the experiences of other small States which have achieved a full measure of self-government;

8. *Requests* the Special Committee to continue to seek suitable means for the immediate and full implementation of the Declaration and to carry out the actions approved by the General Assembly regarding the International Decade for the Eradication of Colonialism and the Second International Decade for the Eradication of Colonialism in all Territories that have not yet exercised their right to self-determination, including independence, and in particular:

(a) To formulate specific proposals to bring about an end to colonialism and to report thereon to the General Assembly at its sixty-first session;

(b) To continue to examine the implementation by Member States of resolution 1514 (XV) and other relevant resolutions on decolonization;

[3] Resolution 217 A (III).

(c) To continue to examine the political, economic and social situation in the Non-Self-Governing Territories, and to recommend, as appropriate, to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination, including independence, in accordance with relevant resolutions on decolonization, including resolutions on specific Territories;

(d) To finalize before the end of 2006 a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

(e) To continue to dispatch visiting missions to the Non-Self-Governing Territories in accordance with relevant resolutions on decolonization, including resolutions on specific Territories;

(f) To conduct seminars, as appropriate, for the purpose of receiving and disseminating information on the work of the Special Committee, and to facilitate participation by the peoples of the Non-Self-Governing Territories in those seminars;

(g) To take all necessary steps to enlist worldwide support among Governments, as well as national and international organizations, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations;

(h) To observe annually the Week of Solidarity with the Peoples of Non-Self-Governing Territories;[4]

9. *Calls upon* all States, in particular the administering Powers, as well as the specialized agencies and other organizations of the United Nations system, to give effect within their respective spheres of competence to the recommendations of the Special Committee for the implementation of the Declaration and other relevant resolutions of the United Nations;

10. *Calls upon* the administering Powers to ensure that the economic activities in the Non-Self-Governing Territories under their administration do not adversely affect the interests of the peoples but instead promote development, and to assist them in the exercise of their right to self-determination;

11. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable rights of the peoples of the Non-Self-Governing Territories to their natural resources, including land, and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

12. *Urges* all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to provide moral and material assistance to the peoples of the Non-Self-Governing Territories, and requests the administering Powers to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of those Territories;

[4] See resolution 54/91.

13. *Reaffirms* that the United Nations visiting missions to the Territories are an effective means of ascertaining the situation in the Territories, as well as the wishes and aspirations of their inhabitants, and calls upon the administering Powers to continue to cooperate with the Special Committee in the discharge of its mandate and to facilitate visiting missions to the Territories;

14. *Calls upon* the administering Powers that have not participated formally in the work of the Special Committee to do so at its session in 2006;

15. *Requests* the Secretary-General, the specialized agencies and other organizations of the United Nations system to provide economic, social and other assistance to the Non-Self-Governing Territories and to continue to do so, as appropriate, after they exercise their right to self-determination, including independence;

16. *Approves* the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples covering its work during 2005,[1] including the programme of work envisaged for 2006;

17. *Requests* the Secretary-General to provide the Special Committee with the facilities and services required for the implementation of the present resolution, as well as the other resolutions and decisions on decolonization adopted by the General Assembly and the Special Committee.

Draft resolution VII
Second International Decade for the Eradication of Colonialism

The General Assembly,

Recalling its resolution 55/146 of 8 December 2000, by which it declared the period 2001-2010 the Second International Decade for the Eradication of Colonialism,

Recalling also that 2005 marks the mid-point of the Decade,

Recalling further that the plan of action for the Decade requested the Secretary-General to submit a report on action taken to implement the plan of action,[1]

Having examined the report of the Secretary-General on the implementation of the plan of action,[2]

Taking into account the important contribution of the United Nations in the field of decolonization, in particular through the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

1. *Takes note* of the report of the Secretary-General;[2]

2. *Calls upon* Member States to redouble their efforts to implement the plan of action for the Second International Decade for the Eradication of Colonialism;[1]

3. *Calls upon* the administering Powers to cooperate fully with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to develop constructive programmes of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions of the United Nations on decolonization;

4. *Requests* Member States, the specialized agencies and other organizations of the United Nations system, and other governmental and non-governmental organizations actively to support and participate in the implementation of the plan of action during the Decade;

5. *Requests* the Secretary-General to continue to provide the necessary resources for the successful implementation of the plan of action;

6. *Also requests* the Secretary-General to report to the General Assembly at its sixty-fifth session on the implementation of the present resolution.

[1] See A/56/61, annex.

[2] A/60/71 and Add.1.

33. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft decision:

Question of Gibraltar

The General Assembly, recalling its decision 59/519 of 10 December 2004 and the statements agreed to by the Governments of Spain and the United Kingdom of Great Britain and Northern Ireland in Brussels on 27 November 1984,[1] and in Madrid on 27 October 2004, and noting the establishment, pursuant to the latter, of the tripartite forum for dialogue on Gibraltar, under the statement made jointly by the Governments of Spain, the United Kingdom and Gibraltar on 16 December 2004:

(a) Urges both Governments, while listening to the interests and aspirations of Gibraltar, to reach, in the spirit of the 27 November 1984 statement, a definitive solution to the question of Gibraltar, in the light of relevant resolutions of the General Assembly and applicable principles, and in the spirit of the Charter of the United Nations;

(b) Welcomes the establishment of a new tripartite forum for dialogue on Gibraltar, under the statement of 16 December 2004, separate from the Brussels Process.

[1] A/39/732, annex.